

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

WILLIAM ANTONIO REYES MALDONADO
A/K/A WILLIAM REYES MALDONADO A/K/A
WILLIAM R. MALDONADO A/K/A WILLIAM A.
REYES A/K/A WILLIAM MALDONADO,

Plaintiff,

v.

EQUIFAX INFORMATION SERVICES LLC;
EXPERIAN INFORMATION SOLUTIONS, INC.;
TRANS UNION LLC A/K/A TRANSUNION;
WESTERN ALLIANCE BANK, SUCCESSOR-
BY-MERGER TO AMERIHOM MORTGAGE
COMPANY, LLC; UNION HOME MORTGAGE
CORP. D/B/A UNION HOME MORTGAGE; AND
ALLY FINANCIAL, INC.,

Defendants.

Civil Case No.:

NOTICE OF REMOVAL OF ACTION
PURSUANT TO 28 U.S.C § 1441

[REMOVED FROM SUPREME
COURT OF BRONX COUNTY,
INDEX NO. 816499/2024E]

NOTICE OF REMOVAL

TO THE CLERK OF COURT:

Pursuant to 28 U.S.C. §1441(a) and 1446, Defendants Union Home Mortgage Corp. d/b/a Union Home Mortgage (“UHM”) and Amerihome Mortgage Company, LLC (incorrectly named as “WESTERN ALLIANCE BANK, SUCCESSOR-BY-MERGER TO AMERIHOM MORTGAGE COMPANY, LLC”), by and through its undersigned counsel, Stradley Ronon Stevens & Young, LLP, hereby removes the case styled as *William Antonio Reyes Maldonado a/k/a William Reyes Maldonado a/k/a William R. Maldonado a/k/a William A. Reyes a/k/a William Maldonado v. Equifax Information Services LLC, et al.*, Index No. 816499/2024E, from the Supreme Court of the State of New York, County of Bronx, where it is now pending, to the United States District Court for the Southern District of New York. The grounds for removal are as follows:

1. Plaintiff William Antonio Reyes Maldonado a/k/a William Reyes Maldonado a/k/a William R. Maldonado a/k/a William A. Reyes a/k/a William Maldonado (“Maldonado” or “Plaintiff”) commenced this action by filing a Summons and Complaint in the Supreme Court of New York, Bronx County on or about October 14, 2024 captioned *William Antonio Reyes Maldonado a/k/a William Reyes Maldonado a/k/a William R. Maldonado a/k/a William A. Reyes a/k/a William Maldonado v. Equifax Information Services LLC, et al.*, Index No. 816499/2024E (the “State Court Action”). A true and correct copy of the Summons and Complaint is attached as **Exhibit A**.

2. In accordance with 28 U.S.C. § 1446(a), true and correct copies of all other process, pleadings and orders served upon defendants are attached hereto as **Exhibit B**.

GROUND FOR REMOVAL

This Case is Removable Based Upon Federal Question Jurisdiction

3. Per his complaint, Plaintiff

brings this action for damages arising under the Fair Credit Reporting Act (“FCRA”) (15 U.S.C. § 1681, *et seq.*) and its implementing Regulation V (12 C.F.R. Part 1022), and New York General Business Law (“GBL”) codifying New York’s Fair Credit Reporting Act (the “NYFCRA”) (GBL § 374, *et seq.*), resulting from Defendants’ willful and ongoing violations of consumer credit protection laws, including failure to investigate and correct inaccurate credit reporting duly disputed by Plaintiff.

See Compl. ¶ 1.

4. Additionally, Plaintiff brings suit for alleged violations of the Real Estate Settlement Procedures Act (“RESPA”) (12 U.S.C. § 2601, *et seq.*) and its implementing Regulation X (12 C.F.R. § 1024.1, *et seq.*), and the Equal Credit Opportunity Act (“ECOA”) (15 U.S.C. § 1691, *et seq.*) and its implementing Regulation B (12 C.F.R. § 1002.1, *et seq.*). *See* Compl. ¶ 6.

5. Pursuant to 28 U.S.C. § 1441(a), “any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.”

6. This Court has original federal question jurisdiction over this action pursuant to 28 U.S.C. § 1331, which provides that the “district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws or treatises of the United States.”

7. Accordingly, this action is removable to this Court pursuant to 28 U.S.C. § 1441.

The Notice of Removal is Timely

8. Per Affidavit of Service filed to the docket on October 25, 2024, Plaintiff served UHM with the Summons and Complaint on October 21, 2024 via Process Server. *See* Exhibit B.

9. This Notice of Removal is being filed on November 21, 2024. Because UHM is removing within thirty days after they were served with the Summons and Complaint, this removal is timely pursuant to 28 U.S.C. § 1446(b).

ALL OTHER REQUIREMENTS FOR REMOVAL HAVE BEEN SATISFIED

10. Pursuant to 28 U.S.C. § 1446(a), all process, pleadings, or orders in the State Court Action are attached as Exhibit B. A true and correct copy of the docket for the State Court Action is attached as **Exhibit C**.

11. This United States District Court for the Southern District of New York is the proper district court for removal because the Supreme Court of New York for the County of Bronx is located within this judicial district, the “district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a).

12. Pursuant to 28 U.S.C. § 1446(d), written notice of the filing of this Notice of Removal – together with a copy of this Notice of Removal and attached exhibits – is being filed with the Clerk of the Supreme Court of the State of New York, County of Bronx, and served on Plaintiff. A copy of the Notice to the State Court of Filing of Notice of Removal is attached as **Exhibit D**. Defendants will also file with this Court a certificate of service of its Notice to Plaintiff.

13. Representatives for all other defendants in this action have consented to its removal. Individual executed consents are attached hereto as **Exhibit E**.

Non-Waiver of Defenses

14. In filing this Notice of Removal, Defendants reserve any and all defenses, objections, and exceptions, including without limitation those relating to jurisdiction, venue, and statutes of limitation.

15. No previous request has been made for removal.

WHEREFORE, Defendant Union Home Mortgage Corp. d/b/a Union Home Mortgage submit this notice that the State Court Action is removed from the Supreme Court of the State of New York, County of Bronx, to the United States District Court for the Southern District of New York.

Dated: November 21, 2024
New York, NY

STRADLEY RONON STEVENS & YOUNG, LLP

By: s/ Boris Brownstein
Boris Brownstein, Esq.
100 Park Avenue, Suite 2000
New York, New York 10017
Telephone: (212) 404-0653
Facsimile: (646) 682-7180
bbrownstein@stradley.com
*Counsel for Defendant Union Home Mortgage
Corp. d/b/a Union Home Mortgage*

CERTIFICATE OF SERVICE

I, Boris Brownstein, hereby certify that on November 21, 2024 a copy of the foregoing Notice of Removal will be sent by U.S First Class Mail and email to the following:

Steven Amshen, Esq.
PETROFF AMSHEN LLP
1975 Coney Island Avenue, Third Floor
Brooklyn, New York 11230
Telephone: (718) 336-4200
samshen@petroffamshen.com
Attorney for Plaintiff

I further certify that on November 21, 2024 a copy of the foregoing Notice of Removal will be sent by email only to the following:

Equifax Information Services LLC
c/o Allison Rhadans, Esq.
1550 Peachtree Street
Atlanta, Georgia 30309
allison.rhadans@equifax.com

Experian Information Solutions, Inc.
c/o Harshal Jani, Esq.
28 Liberty Street
New York, New York 10005
Harshal.Jani@experian.com

Trans Union LLC a/k/a Trans Union
c/o Katherine Carlton Robinson, Esq.
555 W. Adams Street
Chicago, Illinois 60661
Katherine.CarltonRobinson@transunion.com

Joseph M. DeFazio, Esq.
Ahmed H. Khattab, Esq.
TROUTMAN PEPPER HAMILTON SANDERS LLP
875 Third Avenue
New York, NY 10022
Telephone: (212) 704-6341
joseph.defazio@troutman.com
ahmed.khattab@troutman.com
Attorneys for Ally Financial, Inc.

s/ Boris Brownstein
Boris Brownstein, Esq.